

FONSI/DECISION RECORD

EA Number: AZ-040-2002-03

Lease/Serial/Case File No. AZA 31873

BLM Office: Safford Field Office

DECISION:

The proposed action identified in Environmental Assessment, AZ-040-2002-003, provides the best alternative. Given the impacts identified in the environmental assessment, the research will continue on public land for the six-year duration identified in the agreement and the storage structure will remain at its current location and its current size. The no action alternative was not selected, as it does not adequately meet the applicant's needs and is not a sufficient determination, given the existing research site and the impacts identified. I conclude that this action is in conformance with the approved land use plan Safford District Resource Management Plan and Final Environmental Impact Statement (approved through Records of Decision dated, in part, on September 1992 and July 1994), and will result in no significant impact to the human environment. Therefore, preparation of an Environmental Impact Statement is not necessary.

FINDING OF NO SIGNIFICANT IMPACTS:

It is my decision to implement the proposed action allowing the University of Arizona, authorization (AZA 31873) to continue with the cooperative agreement on the following parcel of land administered by the Bureau of Land Management, Safford Field Office.

Gila and Salt River Meridian, Graham County, Arizona.

T. 17 S., R. 32 E.,

Sec. 21, N ½.

Additional scoping completed on January 03, 2006, included evaluation of Environmental Assessment AZ-040-2002-03. Additional review by Archaeology, Wildlife, Nonnative/Invasive Species, and Environmental Justice found that no issues were identified within the area identified in this authorization.

RATIONALE FOR DECISION:

Archaeology: The proposed action has no affect on archaeology as the above parcel had been included in the Class III level survey that was prepared for Environmental Assessment AZ-040-2002-03.

Wildlife: The proposed action has no affect to wildlife as the wildlife is identical to that addressed in original Environmental Assessment AZ-040-2002-03, therefore, no changes to the original wildlife clearance is needed.

Nonnative/Invasive Species: The proposed action has no affect in regards to Nonnative/Invasive Species.

Environmental Justice: The proposed action has no affect in regards to Environmental Justice.

Relationship to Statutes, regulations, and/or other policies: This authorization will be under the authority of the Federal Land Policy and Management Act of 1976.

RATIONALE FOR DECISION:

The rationale for this decision stems from the following: 1) the potential impacts that are identified are not significant and are mitigated sufficiently to allow the proposed action, 2) the proposed action will continue to allow the University of AZ to continue ecological studies on a 7 acre parcel of land, 3) the proposed action will not cause any unnecessary or undue degradation to the public land, 4) the proposed action does not conflict with applicable laws and regulations, and 5) the proposed action does not initiate, nor add to, unmanageable cumulative growth of multiple use activities on the public land.

MITIGATION MEASURES:

Cultural:

1. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and proper mitigation of impacts.

Visual:

1. Stipulate the right-of-way applicant will ensure that any removal of vegetation and/or disturbance of earth is restricted to the right-of-way.
2. Stipulate the right-of-way site shall be maintained in a sanitary condition at all times; waste materials shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
3. Stipulate the right-of-way applicant will ensure that all necessary steps are taken

to prevent erosion arising from this use.

Nonnative/Invasive Plants:

Standard Stipulation will be included in the grant.

1. There is potential for the spread of noxious and invasive weeds from equipment contaminated with weed seed and/or biomass. To reduce this potential, the Safford field office BLM requires the following measures be taken: The University of Arizona will thoroughly power wash and remove all vegetative material and soil before transporting equipment to the construction site to help minimize the threat of spreading noxious and invasive weeds. This includes trucks, trailers, and all other machinery. The holder shall be responsible for weed control on disturbed areas within the limits of the right-of-way or construction site. The holder is responsible for consultation with the authorized officer and local authorities for implementing acceptable weed treatment methods. Any use of chemical treatments will abide by all safety and application guidelines as listed on the product label and Material Data Safety Sheet (MSDS). Any reclamation efforts requiring seeding will be done with certified, weed-free native seed.

In addition to formulating stipulations to accommodate the approved and accepted mitigation measures identified above, the standard stipulations as approved and applicable for the right-of-way will also be included in the grant document.

TERMS & CONDITIONS:

1. The grant will be issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations part 2800.
2. The grant shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way granted herein may be reviewed at any time deemed necessary by the authorized officer.
3. Failure of the holder to comply with applicable law or any provision of the right-of-way grant shall constitute grounds for suspension or termination thereof.
4. All operations shall be performed in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.
5. The holder will ensure that any removal of vegetation and/or disturbance of earth is restricted to the right-of-way.
6. The right-of-way site shall be maintained in a sanitary condition at all times; waste materials shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.

7. The holder will ensure that all necessary steps are taken to prevent erosion arising from this use.
8. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and proper mitigation of impacts.
9. Upon grant termination the holder shall recontour disturbed areas, or designated sections of the right-of-way, by grading to restore the site to approximately the original contour of the ground as determined by the authorized officer.

COMPLIANCE MONITORING:

Compliance and monitoring will be conducted primarily by the staff within the Safford Field Office. A site visit will be conducted for monitoring purposes approximately one year from date of authorization of grant.

ATTACHMENTS:

- 1) Environmental Assessment AZ-040-2002-03.
- 2) Safford Field Office checklist for Interdisciplinary Review of NEPA Documents, Associated Comments and Initial Project Scoping Request.
- 3) Map submitted by applicant, Peter Chesson, University of Arizona.

/s/ Thomas Schnell
Authorized Officer
Thomas Schnell
Assistant Field Office Manager for
Resource Use and Protection

01/09/2006
Date